



General Assembly

January Session, 2013

## ***Amendment***

LCO No. 6702

**\*SB0091606702SD0\***

Offered by:

SEN. MEYER, 12<sup>th</sup> Dist.  
SEN. CHAPIN, 30<sup>th</sup> Dist.  
SEN. KISSEL, 7<sup>th</sup> Dist.

To: Senate Bill No. 916

File No. 52

Cal. No. 106

### ***"AN ACT AUTHORIZING CIVIL PENALTIES FOR THE FAULTY, CARELESS OR NEGLIGENT APPLICATION OF PESTICIDES."***

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2013*) No certified applicator,  
4 as defined in section 22a-47 of the general statutes, shall apply any  
5 pesticide in a negligent or reckless manner. Any certified applicator  
6 who violates the provisions of this section may be assessed a civil  
7 penalty of not more than: (1) One thousand dollars per day for each  
8 day such violation continues, if such application was performed in a  
9 negligent manner, or (2) two thousand five hundred dollars per day  
10 for each day such violation continues, if such application was  
11 performed in a reckless manner. Any such penalty may be recovered  
12 by the Attorney General in accordance with the provisions of  
13 subsection (e) of section 22a-63 of the general statutes, as amended by  
14 this act.

15 Sec. 2. Subsection (e) of section 22a-63 of the general statutes is  
16 repealed and the following is substituted in lieu thereof (*Effective*  
17 *October 1, 2013*):

18 (e) Any person who violates any provision of this chapter, section  
19 10-231b, 10-231c or 10-231d, may be assessed a civil penalty of not  
20 more than two thousand five hundred dollars per day for each day  
21 such violation continues. Any certified applicator who violates the  
22 provisions of section 1 of this act may be assessed a civil penalty of not  
23 more than one thousand dollars per day for each day such violation  
24 continues, or not more than two thousand five hundred dollars per  
25 day for each day such violation continues, as applicable. The Attorney  
26 General, upon complaint of the commissioner, shall institute a civil  
27 action to recover any such penalty in the superior court for the judicial  
28 district of Hartford. All actions brought by the Attorney General shall  
29 have precedence in the order of trial as provided in section 52-191."

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2013</i>	New section
Sec. 2	<i>October 1, 2013</i>	22a-63(e)